



NEWS

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See *MCI v. FCC*, 515 F.2d 385 (D.C. Cir. 1974).

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ASL-SPANISH TRANSLATION VIDEO RELAY SERVICE ELIGIBLE FOR COMPENSATION FROM INTERSTATE TRS FUND

Washington, DC – Today, the Federal Communications Commission (FCC) concluded that Spanish translation Video Relay Service (VRS) – in which the communications assistant (CA) translates what is signed in American Sign Language (ASL) into spoken Spanish, and *vice versa* – is a form of telecommunications relay service (TRS) compensable from the Interstate TRS fund.

VRS is a form of TRS. TRS enables an individual with a hearing or speech disability to communicate by telephone or other device through the telephone system with a person without such a disability. VRS allows communications using sign language through a communications assistant (CA), who facilitates the call, via a video link, rather than through typed text. Through VRS, the conversation between the two end users, deaf and hearing, flows in near real time and in a faster and more natural manner than with a TTY or text-based TRS call. As a result, VRS calls reflect a degree of “functional equivalency” unimaginable in a solely text-based TRS world. The use of VRS reflects this reality: in April 2005 the monthly minutes of use were approximately 1.8 million, a ten-fold increase in the past two years, and more than the number of interstate traditional TRS minutes.

This decision will allow Spanish-speaking people who are deaf to communicate with others who speak only Spanish and allow them to integrate more fully into society. The Commission has previously acknowledged that Hispanics are the fastest growing minority group in the deaf school age population. In addition, the TRS rules cover Puerto Rico, where Spanish is the predominant language. Failure to compensate for ASL-to-Spanish VRS led to a situation where deaf or hard of hearing Puerto Ricans using ALS had VRS conversations translated into English, a language that, for most Puerto Ricans, is either not spoken or is a second language.

The record in this proceeding indicates that that there are nearly 40 million Latinos living in the United States, and that number will increase to over 60 million by 2025, representing over 18% of the population. This is the largest minority population in the nation, and Spanish is the most widely used non-English language spoken in the United States. The record also reflects

that, as reported by Gallaudet University, as many as 24.5% of all deaf and hard of hearing students age three and over are Latino. For many deaf children from Spanish-speaking homes, ASL is their primary language. Because these children do not learn Spanish in the special schools they attend, the only way for them to communicate with some of their family members by telephone -- especially if they are too young to type -- is through ASL to Spanish VRS.

TRS services are provided at no cost to the user and are funded by either the states (for certain intrastate services) or by the Interstate TRS Fund, to which all interstate carriers contribute. While allowing TRS Fund compensation for VRS, the FCC did not mandate that providers offer Spanish translation VRS.

The order will be effective 30 days after publication in the Federal Register.

Action by the Commission July 14, 2005, by Order on Reconsideration (FCC 05-139). Chairman Martin, Commissioners Abernathy, Copps, and Adelstein. Separate statements issued by Chairman Martin, Abernathy, Copps, and Adelstein.

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CC Docket 98-67

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